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Art Unit: 3731

## **DETAILED ACTION**

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue.

Authorization for this examiner's amendment was given in a telephone interview with and an email from the applicant's attorney, Mr. Weinberg, on 08/12/2004.

2. The application has been amended as follows:

## CLAIM 10 (Patent claim 1):

- Line 2: before "hoops", delete " separate and distinct".
- Line 3: before "hoops", delete " separate and distinct".
- Line 7: after "hoop", insert -- by separate connecting members which connect adjacent vertices so that they abut one another --.
- 3. The following is an examiner's statement of reasons for allowance: the claim amendment has clearly distinguished the present invention to the prior art reference.

As supported by the specification (page 5, lines 13-24) and pointed out by the applicant's attorneys, Mr. Weinberg, in the interview 08/09/2004, the terms "abut" in allowed claim 10 means "to touch" so that the adjacent vertices touch one another so as "each hoop receives support from adjacent hoops, increasing the hoop strength of the overall stent structure and minimizing the risk of plaque herniation" (specification, page 5, lines 15-18).

Claims 10-28 are allowed.

Art Unit: 3731

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vy Q. Bui whose telephone number is 703-306-3420. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, McDermott or Shaver can be reached on 703-308-0858. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vy Q. Bui

Primary Examiner

Art Unit 3731